

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

BOBBY E. BURTON,)
Plaintiff,)
v.) Case No. 2:15-cv-02449-JDT-dkv
SHANAWAR ALAM,)
Defendant.)

ORDER TRANSFERRING CASE PURSUANT TO 28 U.S.C. § 1406(a)

On June 29, 2015, Plaintiff, Bobby E. Burton, Jr., Texas Department of Criminal Justice prison number 836846, a prisoner currently confined with the Texas Department of Criminal Justice, Correctional Institution Division at the Coffield Unit in Tennessee Colony, Texas, filed a *pro se* complaint pursuant to 42 U.S.C. § 1983. (§ 1983 Compl., *Burton v. Alam*, 2:15-cv-02449-JDT-dkv (W.D. Tenn.), ECF No. 1.) Plaintiff alleges that he is not receiving his correct medications. (§ 1983 Compl., *id.*, 3, ECF No. 1.)

Twenty-eight U.S.C. § 1391(b) authorizes the commencement of a civil action only in a judicial district,

(1) where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred . . ., or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.

This case has no connection with this judicial district. The alleged unlawful acts occurred at the Coffield Unit in Tennessee Colony, Texas, which is located in Anderson County, Texas. Anderson County, Texas is located in the Eastern District of Texas. *See* 28 U.S.C. §

124(c)(1).

Twenty-eight U.S.C. § 1406(a) states that “[t]he district court of a district in which is filed a case laying in venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.” For the reasons stated, this action should have been brought in the United States District Court for the Eastern District of Texas. Therefore, it is hereby ORDERED, pursuant to 28 U.S.C. § 1406(a), that this case is TRANSFERRED, forthwith, to the United States District Court for the Eastern District of Texas.

The Clerk is directed to close this case without entry of judgment. The Clerk is further directed not to file any documents in this closed case. Any documents received from Petitioner should be forwarded to the Eastern District of Texas or returned to Petitioner, as appropriate.

IT IS SO ORDERED.

s/ James D. Todd
JAMES D. TODD
UNITED STATES DISTRICT JUDGE